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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT SEATTLE**

9 \_\_\_\_\_ ) Case No.: 2:17-cv-234  
10 **TAMMERA GUNNING,** ) **COMPLAINT;**  
11 Plaintiff, ) FAIR DEBT COLLECTION PRACTICES  
12 vs. ) ACT (15 U.S.C. § 1692a, *et seq.*);  
13 ) DEMAND FOR JURY TRIAL  
14 **ALLIANCEONE RECEIVABLES** )  
15 **MANAGEMENT, INC.,** )  
16 Defendant. \_\_\_\_\_ )

17 **I. INTRODUCTION**

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19 1. This is an action for damages brought by an individual consumer for Defendant's  
20 violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter  
21 "FDCPA").

22 **II. JURISDICTION**

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24 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d),  
25 and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.

26 **III. PARTIES**

27 3. Plaintiff, Tammera Gunning ("Plaintiff"), is a natural person residing in Skagit  
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County, Washington.

4. Defendant, AllianceOne Receivables Management, Inc. (“Defendant”), is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant regularly attempts to collect debts alleged due another.

#### IV. FACTUAL ALLEGATIONS

5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

7. All activities of Defendant set out herein were undertaken in connection with the collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).

8. Within the last year, Defendant took multiple actions in an attempt to collect a debt from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

9. Falsely representing the amount, character, or legal status of any debt, including falsely representing Plaintiff owes a debt she does not owe for her stepdaughter’s dental bill; Plaintiff explained to Defendant in a phone call that she was not married to the girl’s father who received the services when they were received and that she is not the girl’s mother, and Defendant responded by threatening to continue collecting until Plaintiff proved these things (§ 1692e(2)(A) & e(5)).

10. As a result of the aforementioned violations, Plaintiff suffered and continues to suffer injuries to Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

11. Defendant intended to cause, by means of the actions detailed above, injuries to Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

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12. Defendant's actions, detailed above, were undertaken with extraordinary disregard of, or indifference to, known or highly probable risks to purported debtors.

13. To the extent Defendant's actions, detailed in paragraphs 8-15, were carried out by an employee of Defendant, that employee was acting within the scope of his or her employment.

**COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

14. Plaintiff reincorporates by reference all of the preceding paragraphs.

15. The preceding paragraphs state a *prima facie* case for Plaintiff and against Defendant for violations of the FDCPA.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages pursuant to 15 U.S.C. 1692k;
- C. Statutory damages pursuant to 15 U.S.C. § 1692k;
- D. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1692k; and,

- E. For such other and further relief as may be just and proper.

**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

Dated this 15<sup>th</sup> day of February, 2017.

By: s/Joshua Trigsted  
Joshua Trigsted, WSBA#42917  
Attorney for Plaintiff

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